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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 5445 INDIAN CEDAR DR. TRUST,

13 Plaintiff,

14 vs.

15 NEWREZ, LLC d/b/a SHELLPOINT
16 MORTGAGE SERVICING; DOE individuals I
through XX; and ROE CORPORATIONS I
17 through XX,

18 Defendants.

Case No.: 2:22-cv-00208-JCM-DJA

**STIPULATION AND ORDER TO
EXTEND DISPOSITIVE MOTION
DEADLINE**

(FIRST REQUEST)

19 NEWREZ, LLC d/b/a SHELLPOINT
20 MORTGAGE SERVICING,

21 Counterclaimant,

22 vs.

23 5445 INDIAN CEDAR DR. TRUST; DOES I
through X, inclusive; and ROE
24 CORPORATIONS I through X, inclusive,

25 Counterdefendants.

26 Plaintiff 5445 Indian Cedar Dr. Trust (**the Trust**) and Defendant NewRez LLC d/b/a
27 Shellpoint Mortgage Servicing submit this stipulation to extend the dispositive motion deadline for
28 thirty (30) days from December 16, 2022 to **January 17, 2023**.

Good cause exists to extend the dispositive motion deadline because the parties are engaged in good faith settlement negotiations. The parties are in the process of finalizing the terms material to settlement. Absent settlement, Shellpoint intends to cause the subject property to be sold at a non-judicial foreclosure on January 4, 2023. The parties request additional time for dispositive motion briefing so that they may avoid the time and expense of seeking summary judgment given the high probability this case will resolve through settlement by January 4, 2023. Excusable neglect also exists for the parties seeking this extension within 21 days of the deadline. The parties began negotiating settlement fairly recently, and the negotiations have taken longer than initially expected based on the need to confirm certain information regarding the excess proceeds generated by the HOA foreclosure sale through which the Trust obtained its property interest.

This is the parties' first request for an extension of this deadline, and is not intended to cause any delay or prejudice to any party.

DATED this 12th day of December, 2022.

AKERMAN LLP	ROGER P. CROTEAU & ASSOCIATES, LTD
<u>/s/ Paige L. Magaster</u> ARIEL E. STERN, ESQ. Nevada Bar No. 8276 NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125 PAIGE L. MAGASTER, ESQ. Nevada Bar No. 15557 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134 <i>Attorneys for NewRez LLC d/b/a Shellpoint Mortgage Servicing</i>	<u>/s/ Christopher L. Benner</u> ROGER P. CROTEAU, ESQ. Nevada Bar No. 4958 CHRISTOPHER L. BENNER, ESQ. Nevada Bar No. 8963 2810 W. Charleston Boulevard, Suite 75 Las Vegas, NV 89102 <i>Attorneys for 5445 Indian Cedar Dr. Trust</i>

IT IS SO ORDERED.


 UNITED STATES DISTRICT COURT JUDGE
 Case No. 2:22-cv-00208-JCM-DJA

DATED: December 14, 2022